

FILED 08 AUG 25 14:27 USDC-ORP

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

JONATHAN LEE RICHES,)	
)	Civil No. 08-3072-PK
Plaintiff,)	
)	
v.)	
)	
EDGAR BRONFMAN, CLARISSA)	ORDER
BRONFMAN, and BUREAU OF)	
PRISONS,)	
)	
Defendants.)	

HAGGERTY, District Judge.

Plaintiff, a federal prisoner housed at FCI-Williamsburg in South Carolina, filed a petition for "Habeas Corpus Relief Under 28 U.S.C. 2241." However, plaintiff does not challenge the execution of his sentence, but rather the conditions of his confinement. Accordingly, this civil rights action should be brought pursuant to Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971).

Pursuant to 28 U.S.C. § 1914, a party seeking to institute a civil action shall pay a filing fee of \$350.00. An action may proceed without the prepayment of a filing fee only upon a proper application to proceed *in forma pauperis*. 28 U.S.C. § 1915(a). A prisoner granted leave to proceed *in forma pauperis* may be required to pay an initial partial filing fee and shall be required to make monthly payments toward satisfaction of the filing fee when sufficient funds are credited to his trust account. 28 U.S.C. § 1915(b).

Plaintiff has neither submitted the filing fee nor moved to proceed *in forma pauperis*. Accordingly, should plaintiff wish to proceed with this action, he shall submit the requisite filing fee or an application to proceed *in forma pauperis* within 30 days of the date of this order. Plaintiff's failure to do so shall result in the dismissal of this proceeding.

In addition, plaintiff's Motions for a Preliminary Injunction and Temporary Restraining Order (#2) are denied on the basis that: (1) the requested relief is unrelated to plaintiff's underlying civil rights action; and (2) his assertions, among others, that he faces "imminent danger and personal harm from defendants websites based in Oregon;" and that defendant Zuniga continues to affiliate him with the Democratic Party, accused him of being unpatriotic, and "is going to tie [plaintiff] to a bottle rocket and launch [him] on the 4th of July," are wholly unbelievable.

///


CONCLUSION

Based on the foregoing, IT IS ORDERED that plaintiff shall submit the requisite filing fee or an application to proceed in *forma pauperis* within 30 days of the date of this order. Plaintiff's failure to do so shall result in the dismissal of this proceeding. The Clerk of the Court is directed to forward to plaintiff a form application to proceed in *forma pauperis* with this order.

IT IS FURTHER ORDERED that plaintiff's Motions for Preliminary Injunction and Temporary Restraining Order (#2) are DENIED.

IT IS SO ORDERED.

DATED this 25 day of August, 2008.


Ancer L. Haggerty
United States District Judge